

REMARKS

It is respectfully submitted that the Notice of a Non-Compliant Amendment in this application is improper. The Office waived certain requirements of 37 C.F.R. 1.121(C) in the Official Gazette dated June 21, 2005. The OG stated that the Office waived the provision in 37 C.F.R. 1.121 (C) that the status of the claims must be indicated by one of the status identifiers listed in 37 C.F.R. 1.121 (C). In the present application, the status identifier of "Amended" was utilized, rather than "Currently Amended". Applicants respectfully submit that the status identifier used in the amendment, although not one of the choices provided in 37 C.F.R. 1.121 (C), was clear and thus the Notice of a Non-Compliant Amendment was improper.

The Examiner has requested an election to one of the following inventions under 35 U.S.C. §121:

Species I: Figures 1-7

Species II: Figures 8-11

Species III: Figures 12-13

Applicant respectfully elects the claims of Group I without traverse. It is respectfully submitted that claims 1-15 and 23-25 are readable upon Species I.

Applicant expressly reserves the right to the non-elected subject matter including the right to file one or more continuation and/or divisional applications to that subject matter.

As it is believed that all of the issues set forth in the Official Action have been fully addressed, favorable reconsideration and allowance of the present application are earnestly solicited.

If there are any additional charges in connection with this paper, the Examiner is authorized to charge Deposit Account No. 02-1666 therefor.

Dated: December 21, 2006

Respectfully submitted,

By: /Jeanne P. Lukasavage Reg No 45172/

BECTON, DICKINSON AND COMPANY
1 Becton Drive
Franklin Lakes, New Jersey 07417
201-847-6797

Jeanne P. Lukasavage
Registration No.: 45,172